IN THE HIGH COURT OF UTTARANCHAL
AT NAINITAL
ORIGINAL JURISDICTION

Dated: Nainital : the 9th day of November 2005

Bail application no. 1071 of 2005

Order on the bail application of accused

CRIMINAL SIDE

Khusal Singh Brizwal
R/o Kisan Singh Brizwal
R/o Village Darkot
Thana Munsiyari
District Pithoragarh … Applicant

Versus

State of Uttaranchal … Opposite Party

Arising out of Case Crime No. 26 of 2005
Under Sections 363, 366, 376 of I.P.C.
Thana Munsiyari
District Pithoragarh

By the court

Hon'ble B.C. Kandpal, J.

The applicant has applied for bail in case crime No. 26 of 2005 under Sections 363, 366, 376 of I.P.C., Thana Munsiyari, District Pithoragarh.

Heard Sri B.S. Adhikari, learned counsel for the applicant, learned A.G.A. and perused the record.

The record shows that the prosecutrix remained in the company of the applicant for several days. The medical examination report shows that the age of the prosecutrix was found in between 17 and 18 years at the time of the occurrence.

The applicant is in jail since 20.07.2005 and learned A.GA. could not show any criminal history of the applicant before me.

Heaving considered the aforesaid facts and circumstances of the case, I think, it would be just and proper to release the applicant on bail at this stage.

Let the applicant Khusal Singh Brizwal be released on bail on his executing a personal bond and furnishing two sureties each in the like amount to the satisfaction of Magistrate concerned.

(B.C. Kandpal, J.)

09.11.2005
ASWAL